

DIST/OFFICE	DOCKET		FILING DATE			J	N/S	O	R	R 23	\$	DEMAND		JUDGE NUMBER	JURY DEM.	YR.	DOCKET	
	YR.	NUMBER	MO.	DAY	YEAR							OTHER	NUMBER				NUMBER	NUMBER
1085/4	75	0489	10	28	75	4	380	1	13			129		8509		75	0489-B	

PLAINTIFFS

DEFENDANTS

AIR-EXEC, INC., an Oklahoma corporation

TWO JACKS, INC., a Tennessee corporation, and JACK ADAMS, SR., an individual

CAUSE

Tort for conversion of Pltf's airplane

ATTORNEYS

J. Peter Messler
Brown, Breckinridge & Messler
Suite 150, Law Building
Tulsa, Oklahoma 74119

Joseph LeDonne, Jr.
401 Center Building
Tulsa, Oklahoma 74127

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IF CASE WAS
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RECEIPT NUMBER

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STATISTICAL CARDS

CARD DATE MAILED
JS-5 11-1-75
JS-6 6-1-76

DATE	NR.	PROCEEDINGS
10-28-75 11-7	1.	COMPLAINT filed, SUMMONS, issued.jj Summons, ret. & filed: served B. C. Clifton, Agt. for Two Jacks, Inc., Memphis, Tenn., on 11-4-75; served Jack Adams, Sr., Olive Branch, Miss. on 11-5-75. (USM \$12.80)g
11-18 <u>1976</u>	2.	Answer, filed. lm
1-15		Deposition of Larry L. Leffingwell, filed. ph
1-23	MO:	Parties are directed to hold PT conf. on or before 3-5-76 & file PT Order on or before 3-12-76. (AEB-J)ph cps by cert ml
3-9	3.	Request for jury trial (of pltf), filed. hm <i>PTC to Judge 3-12-76.</i>
3-12	--	Deposition of Jack Adams, Sr., taken on behalf of Pltf. before Kathie Schiermeister, LSR, w/fees of \$91.20, filed. v
3-15	4.	Pretrial order, filed. (AEB-J)v -cps. mld.
3-31	MO:	Case set for jury trial on 5-26-76, at 10:00 A.M.(AEB-J)b nts mld w/affid.
3-31		Deposition of F. L. Wimer on behalf of pltf. taken before Millie Ballard (LSR & Notary Public) on 2-2-76 at St. Paul, Minnesota, filed. lm
5-17	5.	Plaintiff's trial brief, filed.k
5-17	6.	Pltf's supplement to pre-trial order, filed.k
5-17	7.	Pltf's requested instructions, filed.k
5-18	8.	Defts' trial brief, filed.k
5-18	9.	Defts' supplement to pre-trial order, filed.k
5-18	10	Defts' requested instructions, filed.k
5-21	11.	Defts' affidavit re trial exhibits, etc., filed.k
5-21	12.	Pltf's affid. re trial exhibits, etc., filed. hm
5-21	MO:	Case stricken from jury docket of 5-26-76, & re-set for 5-24-76, at 9:30 A.M.(AEB-J)b nts by phone
5-25		Return on USM service of subpoena, filed. Served Bob Heathcock at Tulsa, Oklahoma, on 5-24-76, w/ fees of \$2.00. Subpoena on Stan Burstein returned unexecuted at request of deft. counsel.k
5-27		Case tried to Jury on 5-25, 5-26, 5-27-76. Parties present & represented. Parties announce ready. Jury previously selected on 5-24-76. Jury sworn. Rule invoked. Parties make opening statements & Pltf. presents case in chief. Witnesses sworn & testify. Parties agree to stipulation. Deposition of Frank Wimer read. Pltf. rests and Deft. enters demurrer to the evidence. Ct. overrules. Deft. presents case in chief; witnesses sworn & testify. Parties rest & Deft. renews demurrer to evidence. Ct. overrules. Parties enter into stipulation re: ltr. to Leffingwell from Deft. Co. Pltf's motion for directed verdict, overruled. Bailiff sworn on 5-26-76, 5:30 P.M. Ct. recessed, Jury to return 5-27-76, 9:30 A.M. to begin deliberation. (5-27-76, 9:30 A.M.) Jury retires to deliberate.(CONT'D)

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE _____ OF _____ PAGES
DATE	NR.	PROCEEDINGS	
5-27-Cont'd		10:30 A.M. Note from Jury foreman. Ct. brings Jury to Ct. & answers question. Jury returns to deliberate. 11:20 A.M., note from Jury. Ct. ans. question & jury return to deliberation. 11:45 A.M. Jury returns w/verdict. Verdict, received, read & filed in open court, finding in favor of Pltf. in amt. of \$60,000.00. Ct. orders Judgment on Jury verdict spread of record. Jury discharged at 11:50 A.M.(AEB-J)b	
5-27	13.	Jury Verdict, filed in open court.b	
5-27		Trial exhibits, filed.(in file) b	
5-26	14.	Defts' Demurrer to the evidence, filed. b	
5-27		Stipulation, filed in open court. b	
5-27		Two notes from Jury, filed in open court. b	
5-28	15.	Judgment, filed & entered, in favor of Pltf. & against Defts' assesses damages in sum of \$60,000.00 Plus int.(JCS-Clk)b	
6-2	16.	Bill of costs in the amt. of \$1,937.40, filed. Costs to be taxed by Clerk of Court on 6-11-76 at 10:00 a.m. k	
6-2		Return on civil subpoenae filed. Served Fred A. Pottorf on 5-25-76 at Tulsa, OK; served William Phillips on 5-25-76 at Tulsa, OK; served Larry Leffingwell on 5-25-76 at Tulsa, OK; and served Carey Drumheller on 5-25-76 at Tulsa, OK.k	
6-4	17.	Motion for new trial by defts., Two Jack, Inc. and Jack Adams, Sr., filed. ph w/affidavit of Marilyn Calvert.	
6-4	18.	Motion to alter and/or amend judgment by defts., filed. ph	
6-4	19.	Brief of defts., Two Jacks, Inc. and Jack Adams, Sr. in support of their motion for new trial, and appl. for ext. of time to file addit. brief, filed. ph	
6-7	MO	It is ordered by the Court that the Plaintiff file a responsive brief within ten days to defts' mot. for New trial and mot. to alter &/or amend judgment. (AEB-J)k cps mld	
6-11	MO:	Cost hrg. held before Clerk. Costs taxed in amt. of \$483.30 in favor of pltf. and against defs. (JCS-Clk)rm	
6-16	20.	Pltf's Response to Deft's motion for new trial, filed. b	
9-14	21	Order, filed, that the Mot. for New Trial and the Mot. to Alter and/or Amend Judgment filed by the defendants are overruled.s (AEB-J) cps. mld.	
9-23	22.	Notice of appeal by def. from Order of 9/14/76, filed. rm (copy to USCA)	
10-7	23.	Bond for costs on appeal (\$250 cash), filed. rm	
11-1	24.	Order, filed, granting ext. time to transmit record on appeal to 12/22/76.(AEB-J)rm-copies to counsel and USCA	
12-22		Reporter's transcripts of trial proceedings had on 5/25, 5/26 and 5/27 1976, filed (2 volumes). (G.Dorrrough-CR) rm	
12-22		Original appeal record (4 vols) transmitted to USCA. rm	

(over)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-489-B</u>
Air-Exec		Two-Jacks	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
<u>1978</u>			
10-2	25	Mandate and Opinion of 10th Circuit, filed and spread of record, affirming ct.'s judg. rm	
10-4		Appeal record (4 vols.) rec'd from USCA. g	
1-8-79	26	Partial satisfaction of judgment, fld. ho (\$10,000 paid)	
10-9-79	27	SECOND PARTIAL satisfaction of judgment, (\$5,000.00paid)ho	
4-22-82	28	APPLICATION of deft., to disburse funds. (O) bb	
4-26	29	ORDER for clerk to disburse to Joseph LeDonne, Jr. the sum of \$250.00 for appeal bond.(HDC-J)a	
<u>1985</u>			
8-7	30	SATISFACTION OF JUDGMENT.rm	